

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION) MDL No. 2804
OPIATE LITIGATION)
This document relates to: *All Cases*) JUDGE DAN AARON POLSTER
) Case No. 1:17-md-2804
)

**NOTICE OF FILING PLAINTIFFS' MOTION TO COMPEL DEFENDANT
AMERISOURCEBERGEN TO PRODUCE DOCUMENTS IMPROPERLY WITHHELD
AND/OR TO SHOW CAUSE WHY IT SHOULD NOT BE SANCTIONED FOR ITS
DISCOVERY MISCONDUCT and UNREDACTED RELATED EXHIBITS**

Plaintiffs hereby provide notice of, and file into the public record, the previously filed Motion to Compel Defendant AmerisourceBergen to Produce Discovery Improperly Withheld and to Show Cause Why it Should Not Be Sanctioned for its Discovery Misconduct, ECF No. 3300 (May 21, 2020), along with exhibits referenced therein. Although this motion was previously filed on the public record, certain exhibits thereto (exhibits 2-10) were not publicly filed due to prior confidentiality designations asserted by AmerisourceBergen. However, as a result of Plaintiffs' confidentiality challenges as well as a subsequent ruling,¹ exhibits 2-10 are no longer confidential and/or can be filed publicly.

To remain consistent with Plaintiffs' prior filing at ECF No. 3300, Plaintiffs hereby file on the public record their May 21, 2020 Motion to Compel Defendant AmerisourceBergen to Produce Discovery Improperly Withheld and to Show Cause Why it Should Not Be Sanctioned for its Discovery Misconduct, as well as the unredacted versions of exhibits 1-10 referenced therein.

¹ Plaintiffs challenged AmerisourceBergen's confidentiality designations over the 10 exhibits attached to their motion, and AmerisourceBergen maintained confidentiality over four exhibits. Consistent with the provisions in Case Management Order No. 2, Plaintiffs challenged the maintained confidentiality over the four exhibits, and Special Master Cohen ruled these four documents were not confidential. (Ruling Regarding Confidentiality Designations, ECF No. 3344 (June 18, 2020)).

Dated: June 30, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of June, 2020, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court's CM/ECF System.

/s/ *Anthony D. Irpino*
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